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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/789,779	02/27/2004	Peter J. Burke	703538.4036

34313

ORRICK, HERRINGTON & SUTON LLP
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CONFIRMATION NO. 9431

FORMALITIES LETTER



OC000000012763787

Date Mailed: 05/25/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/09/2004 FFANAEIA 00000004 150665 10789779

01 FC:2051 65.00 DA

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 5.
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 2a-2d, 7a, 7b, 8.
 - The drawings must be made on paper that has a white background (see 37 CFR 1.84(e)). For example, drawings on graph paper, lined paper, or paper that has a non-white background are not acceptable. See Figure(s) 1a, 1b, 3a, 3b, 5, 6a, 6b.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

RASANTO
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/789779 Confirmation No.: 9431
Applicant : Peter J. Burke et al.
Filing Date : February 27, 2004
Title : SYSTEMS AND METHODS FOR MAKING AND USING
NANOELECTRODES
Group Art Unit : To be assigned
Examiner : To be assigned
Docket No. : 708493.4036
Customer No. : 34313

Mail Stop Missing Parts

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF MISSING PARTS

Sir:

1. DOCUMENTS ENCLOSED:

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION
UNDER 37 CFR § 1.53(f)**, which was mailed by the Patent Office on May 25, 2004,
enclosed are:

- ☒ Declaration
- ☒ Power of Attorney: ☒ Separate or ☐ Combined with Declaration
- ☒ Assignment of the invention to The Regents of the University of California
(together with PTO Form 1595)
- ☒ Formal Drawings (11 pgs)

09/09/2004 FFANAEIA 00000004 150665 10789779

02 FC:2251

55.00 DA

CERTIFICATE OF MAILING
37 CFR §1.8

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to Mail Stop Missing Parts, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 2, 2004


Mary L. Smith

DOCSOC1:154586.1

Applicant : Burke et al.
 Appl. No. : 10/789779
 Examiner : To be assigned
 Docket No. : 703538.4036

- ☒ A copy of the Notice to File Missing Parts of Application under 37 CFR § 1.53(f)

2. REQUEST FOR EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- ☒ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input checked="" type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two months	\$210.00	\$420.00
<input type="checkbox"/> three months	\$475.00	\$950.00
<input type="checkbox"/> four months	\$740.00	\$1,480.00
<input type="checkbox"/> five months	\$1,005.00	\$2,010.00
Fee		

- ☒ If any extension fee is required, please consider this a petition therefor.

3. FILING FEES

- ☒ Applicant claims small entity status pursuant to 37 CFR 1.27.

BASIC FILING FEE:					
Total Claims	-	20	=	0	x \$18.00 \$ 0.00
Independent Claims	-	3	=	0	x \$86.00 \$0.00
Multiple Dependent Claims	\$290	(if applicable)		<input type="checkbox"/>	\$0.00
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)		<input checked="" type="checkbox"/>	\$130.00
TOTAL OF ABOVE CALCULATIONS					
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. <input checked="" type="checkbox"/>					65.00
Extension of Time (from above)					55.00
Assignment -- \$40 (if applicable) <input checked="" type="checkbox"/>					40.00
TOTAL FEES SUBMITTED HEREWITH					\$160.00

Applicant : Burke et al.
Appl. No. : 10/789779
Examiner : To be assigned
Docket No. : 703538.4036

4. Method of Payment of fees:

- ☐ A check in the amount of \$_____ is enclosed to cover the above fee(s).
- ☒ Charge Orrick's Deposit Account No. **15-0665** in the amount of **\$160.00**.
- ☒ The Commissioner is authorized to charge Orrick's Deposit Account No. **15-0665** for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. **15-0665**.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: September 2, 2004

By:



Kenneth S. Roberts
Reg. No. 38,283

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